

Telefax
Transmittal
Cover sheet



29160 Intervet Lane
P.O. Box 318
Millsboro, DE 19966-0318
(302) 934-4327
March 9, 2006

RECEIVED
CENTRAL FAX CENTER

MAR 09 2006

4...pages including cover sheet.

PERSON TO:	COMPANY/DEPT TO:	FAX NUMBER:
------------	------------------	-------------

Mail Stop: AF

USPTO

571-273-8300

Group Art Unit: 1645

PERSON FROM:	COMPANY/DEPT FROM:	FAX NUMBER:
--------------	--------------------	-------------

Diane Payne on behalf of
Aaron L. Schwartz

Intervet Inc.
Patent Department

302-934-4305

USSN: 10/087,573 Customer No.: 31846

Attorney Reference No.: I-2001.004 US

Please accept the documents which follow in the above-identified application:

Notice of Appeal (2 pages)

Certificate of Facsimile (1 page)



THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN PROPRIETARY INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE ADDRESSEE, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT). THANK YOU.

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on March 9, 2006
Date


Signature

Diane Payne
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

USSN: 10/087,573
Application of: Schetters, *et al.*
For: Babesia Canis Vaccine
Attorney Docket: 1-2001.004 US

Notice of Appeal (2 pages)
Facsimile Coversheet (1 page)
Certificate of Facsimile Transmission (1 page)

RECEIVED
CENTRAL FAX CENTER
MAR 09 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No: 10/087,573
Applicant: SCHETTERS, *et al.*
Confirmation No: 3895
Filed: February 28, 2002
Group Art Unit: 1645
Examiner: Baskar, P.
For: Babesia Canis Vaccine
Attorney Docket: I-2001.004 US

March 9, 2006

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Mail Stop: AF
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the rejection of claims 32 and 64-67 in the Final Office Action dated September 9, 2005.

The Commissioner is hereby authorized to charge the fee of \$500.00 to our Deposit Account No. 02-2334.

Pursuant to 37 C.F.R. §1.17 and 1.136(a), Applicants respectfully petition for the third month extension of time for filing a response or notice of appeal in connection with the present application. Because two months of extension have already been paid as part of Applicants' January 19, 2006 filing, please charge the difference in the fee of \$570 (i.e., \$1020.00 minus \$450.00) to Deposit Account No. 02-2334.

03/13/2006 WABDELRI 00000046 022334 10087573

01 FC:1401 500.00 DA
02 FC:1253 570.00 DA

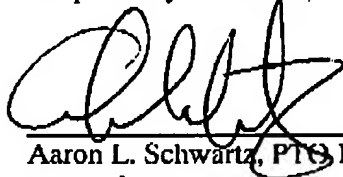
13

Appl. No. 10/087,573
Notice of Appeal
March 9, 2006

Applicants do not believe that any other fee is due in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. 02-2334. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. 02-2334.

Applicants submit that this application is in condition for allowance, and request that it be allowed. The Examiner is requested to call the undersigned if any issues arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,

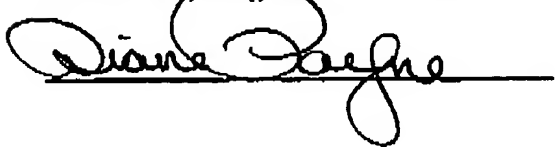


Aaron L. Schwartz, P.T.O. Reg. No. 48,181
Patent Counsel
Patent Department
Intervet Inc.
P.O. Box 318
29160 Intervet Lane
Millsboro, DE 19966
(302) 933-4034 (tel)
(302) 934-4305 (fax)

ALS:dap

CERTIFICATE OF FACSIMILE

I certify that this correspondence is being sent via facsimile on March 9, 2006 to facsimile no. (571) 273-8300 Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



Page 2 of 2